

CITY OF ANGELS
CITY COUNCIL
MINUTES

Tuesday, October 20, 2009

Council Members Present: Jack Lynch (Mayor), Jack Boeding, (Vice Mayor), Elaine Morris and Craig Turco

Staff Present: Richard Matranga, Gary Ghio, Dale Mendenhall, Melisa Ralston, David Hanham and Mary Kelly

5:45 PM CALL TO ORDER

CONSIDERATION OF ABATEMENT/DEMOLITION OF THE LODE HOTEL (continued from September 15, 2009 Council meeting) - Steve Flaigg, Building Inspector

The Building Inspector reported that not much progress has been done on the Lode Hotel since the last inspection. They appear to be 2 ½ months behind both the City time line and their own. There is still a safety issue with only 1 side of the building having been shored. Flaigg said he had encouraged the owner to attend tonight's meeting, but he was not in attendance.

MOTION by Councilmember Turco, seconded by Councilmember Boeding and carried 4-0 DIRECTING THE CITY ATTORNEY TO ADDRESS A LETTER TO LODE HOTEL OWNER, TIM ASHLOCK STATING HE HAS 15 DAYS TO TAKE ACTION TO ABATE THE SAFETY ISSUES AS PER THE LETTER FROM COUNCIL DATED DECEMBER, 2008.

Roll Call: Morris {Yes}, Boeding {Yes}, Turco {Yes} and Lynch {Yes}

Direction: Item to be continued to future Council meeting.

6:00p.m. REGULAR MEETING

APPROVAL OF AGENDA

Agenda was approved by consensus

STAFF UPDATES

Gary Ghio – City Engineer

- Financing documents for the wastewater Phase III received.
 - TE sidewalk – Delays to final design - Caltrans has issue with length if sidewalks
- Direction:** Staff to provide list of all 'automatic', 'contracted out' contractors doing City projects
- Direction:** Item to be placed on Personnel/Finance agenda for November

Dale Mendenhall – Police Chief

- Reviewed report included in packet

Dave Hanham – Planning Director

- Met with LAFCO re: MSR. Asked that a City Council member attend meeting to with County representatives to discuss sphere of influence.
- Direction:** Jack Boeding and Mayor to attend sphere of influence meeting with Planning Director

COUNCIL UPDATES

Councilmember Morris

- Attended CCOG, Traffic Circulation and Facilities/Infrastructure. Attended Economic Summit sponsored by the Chamber of Commerce and felt it was well done.

Councilmember Turco

- Attended CCOG where an update on Bear Valley Village development. He spoke on potential problems down the road. He asked the Planning Director to stay on top of the situation and to request materials on the subject from Tim McSorley at CCOG.
- Will be attending CCOG on 10/7

Councilmember Boeding

- Attended Economic Summit. Will be attending the LAFCO convention in Yosemite.

Mayor Lynch

- Attended Facilities/Infrastructure.

PUBLIC COMMENT

John Broeder – 1860 Finnegan

Updated the Council on the odor problem on Finnegan Lane. Odor is still there but much better since City staff installed filter devices.

John Teichnor – 1311 Main

Asked if the state took any of the City funding and if so how much. Melisa explained that the state is taking 8% of property taxes but the City is joining a JPA that will fund back the monies sooner. Teichnor also asked how much it will cost the City to fund the roads in Greenhorn Creek. The Mayor explained that the LLD Engineer is doing an apportionment study and will give cost detail to the City.

Rick Downey – 817 Smith Flat Road

Asked for clarification of the Proposition 218 public hearing process.

Ozzie Rivera – 730 So. Main (Rodz Grill)

Voiced concerns of overpayment of water bill. Should have been assessed in March.

Direction: Place item on Personnel Finance agenda regarding Rodz Grill water issue.

Steve Difu – 576 Sasa

Agreed with Mr. Rivera. Also stated that several persons reported to him that they did not receive the Proposition 218 Public Hearing notice. He was asked to tell persons not receiving notice to contact City Clerk.

Tim Folendorf – Angels Camp resident

Spoke regarding the protection of trees being threatened for removal at Cal Fire.

Bob Lehman – Angels Camp resident

Spoke in support of tree protection

Wrenae Rowe – Angels Camp resident

Spoke in support of tree protection

DUE TO TIME CONSTRAINTS, MAYOR LYNCH REQUESTED A TEMPORARY HALT IN PUBLIC COMMENT AND TO MOVE TO THE FIRST TWO ITEMS ON THE REGULAR AGENDA TO ALLOW THE CITY AUDITOR AND DR. DEAN KELAITA TO SPEAK ON THEIR AGENDA ITEMS.

1. 2008/2009 AUDIT REPORT – Bryant Jolley, CPA

MOTION by Councilmember Turco, seconded by Councilmember Morris and carried 4-0 ACCEPTING THE 2008/2009 AUDIT REPORT.

Direction: Mr. Jolley to provide management discussion & Analysis report in 2009/2010 audit report

2. PRESENTATION ON H1N1 (Swine Flu) – Dr. Dean Kelaita, M.D. – Calaveras County Health Officer

Dr. Kelaita spoke on issues with the H1N1 virus. He explained there is an increase in influenza illness in our community and the concern is a surge of individuals needing medical care with medical care units being overwhelmed. The health department is providing ongoing awareness on the virus and the virus vaccine. Recommended groups for vaccination: children 6 months old to 24 years old, those persons over 25 to age 64 with underlying health problems such as asthma and heart problems and pregnant women. A small amount of the vaccine is already available for children 2-9 years old. The vaccine will be available to private medical groups the first week in November. He gave reassurance that there were no adverse reactions to the vaccines at clinical trials held.

7:30 p.m. THE COUNCIL CONTINUED WITH PUBLIC COMMENT

George Fry – 1304 Oak Place

Presented a video with local agencies promoting the City of Angels to be the site chosen for the Alternatives Conference in October 2010.

CONSENT AGENDA

MOTION by Council Member Morris, seconded by Council Member Boeding and carried 4-0 to adopt the consent agenda:

- a. Minutes of Regular meeting – October 6, 2009
- b. Approval of letter of support for Mother Mode Broadband
- c. **MOTION** to pay bills

REGULAR MEETING

3. APPROVAL OF MATERIALS TO BE USED FOR CONSTRUCTION OF CHAPPELLE STAIRS (RASBERRY STAIRS) – Dave Hanham, Planning Director

The Planning Director explained the background on the stairs. The Planning Commission recommended approval of the construction materials to be used in the repair of the stairs. Council Member Turco asked if the stairs are currently safe. It was stated that they are. He then asked if the City proceeds, where would the money come from for the repair? Why move forward with no funds? Hanham explained that momentum has been moving this project forward.

Bob Menary – ACBA President

Reported there are holes in the siding and vents on the roof making the stairs unsafe. Suggested using funds from the façade grant to repair.

John Broeder – 1860 Finnegan

Suggested approving the materials and get the design done now. This will not cost too much and the project will be in a position to start work

Rick Downey – 817 Smith Flat Road

Asked if the stairs needed to be ADA compliant. Steve Flaigg explained that the City is in the process of updating their ADA self-evaluation and transition plan. This area has been researched and as long as there is access from Main Street to the parking lot, the City is compliant with ADA requirements.

MOTION by Council Member Boeding, seconded by Council Member Lynch **APPROVING THE MATERIALS TO BE USED FOR CONSTRUCTION OF THE CHAPPELLE STAIRS AS RECOMMENDED BY THE PLANNING COMMISSION.**

Roll Call: Morris {No}, Boeding {Yes}, Turco {No} and Lynch {Yes}

NO ACTION WAS TAKEN ON THIS ITEM

4. WATER TREATMENT PLANT – FOURTH FILTER IMPROVEMENT PROJECT(continued from 10/6 meeting) – Gary Ghio, City Engineer

The City Engineer provided Bruce Whittle's bid cost and scope of work. He explained there were 2 options: Option 1 - if approved to use Whittle Electric, the project could go out to bid by October 27th and construction could begin in early January. The project could then be completed by June 2010. Option 2 - If Whittle Electric is not used, the plans will need to be revised to permit all work to bid. After bid process, the completion date would be the end of June 2010. He explained that with option #2, there would be an additional cost of about \$17,000.

The City Engineer recommended option #1 due to the time frame and increase in cost with option #2. He explained that he already has concerns with the ability to complete the project if there are early high temperatures which would cause an increase in flows through the treatment plant. Council member Turco asked if the additional cost of \$17K was to redo the plans and specs. Ghio said that because Whittle already knows the plan it would not have to be redesigned. The design and plans are not included in the contract documents. The line diagrams need to be put in the plans.

Mayor Lynch stated that the need for construction of the 4th filter has not been proven. He said that he and staff met with Joe Spano and Mr. Spano understands we have reduced water requirements. Mayor

Lynch recommended option #2. Council Member Morris said the City should go with Whittle Electric since he has done the work before and knows the plan. He is also local.

MOTION by Councilmember Morris, seconded by Council Member Boeding APPROVING OPTION #1 FOR BRUCE WHITTLE ELECTRIC TO PROVIDE THE ELECTRICAL WORK FOR THE 4TH FILTER PROJECT, AS RECOMMENDED BY THE CITY ENGINEER.

Roll Call: Morris {Yes}, Boeding {Yes}, Turco {No} and Lynch {No}

NO ACTION WAS TAKEN ON THIS ITEM

MOTION by Mayor Lynch, seconded by Council Member Turco APPROVING OPTION #2 DIRECTING STAFF TO GO OUT FOR BIDS FOR ELECTRICAL WORK FOR THE 4TH FILTER PROJECT

Roll Call: Morris {No}, Boeding {No}, Turco {Yes} and Lynch {Yes}

NO ACTION WAS TAKEN ON THIS ITEM

5. PRESENTATION/UPDATE ON CONSTRUCTION OF KITCHEN AT UTICA PARK

(continued from 19/6 meeting) – Bruce Silva, Building Official

The Building Official explained that the kitchen at Utica Park is moving forward. Grant funds and donations are funding the project. He provided a PowerPoint presentation showing the plans and the equipment that has been donated.

DeWayne Brown – Murphys Fire Volunteer

Stated that he is very pleased with this project moving forward.

John Teichnor – 1311 Main

Asked about the veteran's memorial plot located near the kitchen site. Bruce explained that the local veterans association has been notified and will be working with the City on ideas for the plot. The Council asked Bruce to provide an update after the first of the year.

6. RESOLUTION AUTHORIZING SIGNATURE AUTHORITY – Melisa Ralston, Finance Officer
City Clerk explained that the City Attorney advised a resolution on this item was not required. A letter of authorization was provided in place of the resolution.

MOTION by Council Member Boeding, seconded by Council Member Morris and carried 4-0 APPROVING A LETTER PROVIDING SIGNATURE AUTHORITY TO THE DIRECTOR OF ADMINISTRATIVE SERVICES AND THE FINANCE OFFICER DATED OCTOBER 20, 2009.

7. APPROVE RESOLUTION ESTABLISHING COST PER GALLON FOR SEWAGE TREATMENT FOR FY 2009/2010 (continued from 10/6 Council meeting)

– Melisa Ralston,
MOTION by Council Member Turco, seconded by Council Member Morris and carried 4-0 ADOPTING RESOLUTION NO. 09-31. A RESOLUTION ESTABLISHING THE COST PER GALLON FOR SEWAGE TREATMENT FOR 2009/2010. COST IS \$0.01364 PER GALLON FOR THE TIME PERIOD SEPTEMBER 1, 2009 TO JULY 1, 2010

Direction: Cost to be retroactive to September.

MEETING ADJOURNED AT 9:00 P.M.

ATTEST:

Jack Lynch
Mayor

Mary Kelly
City Clerk